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LETTER DATED 20 DECEMBER 1991 FROM THE PERMANENT REPRESENTATIVE OF KUWAIT TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I should like to state the following:

1. Kuwait has placed on record its strong protest against the continued presence of five Iraqi police posts inside Kuwaiti territory. Details on the matter are contained in my letter of 2 December 1991 (S/23260).

2. The Iraqi representative in his letter of 17 December 1991 (S/23290) misrepresents the facts contained both in my aforementioned letter and those contained in the report of the Secretary-General on UNIKOM (S/23106).

3. I have stated earlier that the five police posts were established by Iraq, just before its invasion of Kuwait on 2 August 1990, precisely, in June and July 1990. What is at issue is not necessarily the date of their establishment but the blatant admission of Iraq that these five posts are in their current positions, inside Kuwaiti territory.

4. In his report on UNIKOM (S/23106) the Secretary-General stated that "the continued presence of Iraqi police posts on the Kuwaiti side of the line shown on UNIKOM's map remains a matter of concern. I have instructed the Chief Military Observer of UNIKOM to persevere in his efforts to have these police posts pulled back behind the line." In spite of UNIKOM's efforts, Iraq persists on maintaining the posts informing Major-General Greindl that they would not be pulled back because of the political implications (S/23106/Add.2).

5. It is ironical that Iraq shows an interest in the principle of "reasonable distance" laid down by UNIKOM. In addition to maintaining the five police posts inside Kuwaiti territory, it is Iraq that refuses to abide at this stage by the principle of "reasonable distance". In his report on UNIKOM (S/23106), the Secretary-General states that "... Iraq has deployed four border police centres and 10 border police posts in the DMZ. Five of the posts are on the Kuwaiti side of the boundary line shown on the UNIKOM map; two are closer to it than 1,000 metres, on the Iraqi side. Lengthy and intensive efforts have been made at United Nations Headquarters as well as in the field to persuade Iraq to move the seven posts further back. ... The Iraqi

authorities have assured UNIKOM that Iraq will comply with the reasonable distance principle, once the boundary is demarcated." (Emphasis added.)

6. Kuwait has indicated to UNIKOM its willingness to comply with the "reasonable distance" principle if the Iraqi side does so as well. However, even in the absence of Iraq's compliance with the principle, Kuwait consistently coordinates with UNIKOM about the locations of Kuwaiti police posts.

7. At no point did Kuwait admit that the locations of all the police posts would be settled by the Boundary Demarcation Commission. Such an allegation by the Iraqi representative is self-illusory. In my letter of 2 December 1991, I stated that the Kuwaiti Government demands the immediate dismantling of the five Iraqi police posts.

The continued presence of Iraqi police posts inside the territory of Kuwait, is essentially a violation by Iraq of the sovereignty and territorial integrity of Kuwait. In addition, the obstinate refusal by Iraq to dismantle these posts contradicts its declaratory commitment to cooperate with UNIKOM. Iraq's position cannot be described as being conducive to the successful discharge of UNIKOM's mandate, or as being in full compliance with Security Council resolutions.

I should appreciate it if you would bring this letter to the immediate attention of the members of the Security Council and to arrange for its circulation as a document of the Council.

(Signed) Mohammad A. ABULHASAN
Ambassador
Permanent Representative